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**FILED**

DEC 21 2005  
RICHARD W. KLEIN  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	No: CR05-000723JW PVT
Plaintiff,	)	
	)	
v.	)	
	)	STIPULATION AND [PROPOSED]
	)	ORDER MODIFYING CONDITIONS
	)	OF RELEASE
MAN NING TAO	)	
Defendant.	)	

On November 21, 2005, Magistrate Judge Patricia V. Trumbull set a \$100,000 secured bond and ordered the defendant to participate in a residential treatment facility. The Court agreed to release him to a residential program as soon as bed space became available and ordered that the \$100,000 security be posted by December 23, 2005. Defense counsel has recently learned that a property bond will not be possible. Additionally, counsel has learned that the family does not presently have the resources to post cash or a commercial bond.

Pursuant to the Court's order of December 15, 2005, Mr. Tao is living with his parents at 4825 Anza Street, San Francisco pending placement into an alternate drug treatment program by United States Pretrial Services. Magistrate Judge Trumbull further ordered that Mr. Tao submit to electronic monitoring as directed by Pretrial Services.

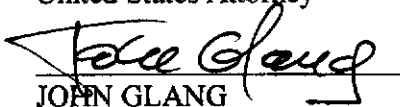
1 United States Pretrial Services Officer Allen Lew reports that there have been no  
2 problems with Mr. Tao while he has been on electronic monitoring at the San Francisco  
3 residence. Mr. Lew has made efforts to enroll Mr. Tao in Asian American Recovery  
4 Services' program and expects Mr. Tao to be enrolled and participating in the near future.  
5 Mr. Lew has no objection to the proposed order submitted herein.  
6

7 In light of the facts set forth herein, the impending December 23, 2005  
8 deadline for posting of security, and the Magistrate Judge Trumbull's unavailability,  
9 Plaintiff United States of America, by and through Assistant United States Attorney John  
10 Glang, and defendant Man Ning Tao, by and through attorney Michelle D. Spencer, hereby  
11 agree and stipulate that the December 23, 2005 deadline for posting of security be extended  
12 to January 6, 2006. It is further agreed and stipulated that the case will be calendared on or  
13 before January 6, 2006 at a time available to Magistrate Judge Trumbull and counsel in  
14 order to address the posting of security. It is further agreed and stipulated that all other  
15 conditions of release shall remain in effect.  
16

17 IT IS SO STIPULATED.  
18

19 KEVIN V. RYAN  
United States Attorney

20 Dated: 12/20/05

21   
JOHN GLANG  
Assistant United States Attorney

22 Dated: 12/20/05

23   
MICHELLE D. SPENCER  
Attorney for Man Ning Tao  
24 RS

25 [PROPOSED] ORDER

26 Based upon the foregoing, and good cause appearing therefore, the Court hereby  
27 extends the December 23, 2005 deadline for the posting of \$100,000 security to  
28

1  
2  
3 January 6, 2006. All other conditions of release shall remain in effect.

4  
5 Date: 12/21/05

6   
MAGISTRATE JUDGE RICHARD SEEBORG